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11 Attorney for Debtor
12 David Stephens

13 UNITED STATES BANKRUPTCY COURT
14 CENTRAL DISTRICT OF CALIFORNIA
15 LOS ANGELES DIVISION

11 In re	)	Case No. 2:24-bk-13887-NB
12)	
13	)	Chapter 13
14 DAVID STEPHENS,)	
15	)	DEBTOR'S OPPOSITION TO DISMISSAL
16	)	OF CASE; DECLARATIONS OF DEBTOR
17	)	AND NON-FILING SPOUSE IN SUPPORT
18	)	OF DEBTOR'S OPPOSITION TO
19	)	DIMISSAL OF CASE
20 Debtor.)	
	)	<i>Plan Confirmation Hearing</i>
	)	Date: July 11, 2024
	)	Time: 9:30 am
	)	Courtroom: 1545 – 255 E. Temple St.
	)	Los Angeles, CA 90012

21 **TO HONORABLE NEIL BASON, US BANKRUPTCY JUDGE; KATHY DOCKERY.**
22 **CHAPTER 13 TRUSTEE; OFFICE OF THE UNITED STATES TRUSTEE, PARTIES IN**
23 **INTEREST:**

24 David Stephens ("Debtor") commenced this bankruptcy case by filing a voluntary
25 Chapter 13 petition on May 17, 2024 (the "Bankruptcy Case"). Debtor's intent in filing
26 was to preserve his residence which had been sold in foreclosure.

27 At the continued § 341(a) Meeting of Creditors conducted on July 9, 2024,
28

1 counsel for Kathy Dockery (“Dockery” or the “Trustee”) advised the Trustee would
2 recommend dismissal of the case because the Chapter 13 Plan is infeasible due to
3 Debtor’s limited income.

4 At the time of filing this case, May 17, 2024, Debtor had been unemployed since
5 2022 but was waiting to be released by medical professionals to resume working as a
6 driver providing transportation services but he had no other immediate income sources;
7 therefore, Debtor’s Schedule I disclosed no income for Debtor other than his non-filing
8 spouse’s income. Based on income and expenses at that time and a proposed plan
9 payment of \$528.47, there was a monthly deficiency of \$4651.92.

10 On May 20, 2024, Debtor was released and resumed working as a driver for Lyft.
11 On July 9, 2024, Debtor filed amended Schedules I & J and a 1st Amended Chapter 13
12 Plan. The Amended Schedules I & J disclosed Debtor’s postpetition income of
13 approximately \$1931 per month, elimination of a voluntary 401K contribution by
14 Debtor’s non-filing spouse and a reduction in expenses due to elimination of an
15 inadvertent duplication of home maintenance and repair costs. Additionally, corrected
16 calculation of claims and totals in the Amended Plan reduced the proposed plan
17 payment to \$374.57. During the seven weeks that the bankruptcy case has been
18 pending Debtor has reduced the monthly deficiency at time of filing to \$1350.42.

19 Debtor has four sources of increased additional income – some of which have
20 already begun and the others to begin in the next four to eight weeks:

21 1) Debtor’s Lyft income currently averages \$1931 per month but that
22 amount is low as compared to his driving-related income before his injury. In prior
23 years Debtor averaged \$3235 per month. In fact, Debtor’s driving income has
24 progressively increased since he resumed driving on May 20th and he anticipates driving
25 income to very nearly match his prior average by the end of July and then continue at
26 least at that approximate rate. Monthly driving income of \$3235 will extinguish the
27 deficiency;

1 2) In addition to driving, Debtor is an entrepreneur. He has designed a
2 children's clothing line that is being marketed to investors. Funding to begin
3 production is scheduled to be determined in August and will include funds for
4 production, and funds paid to Debtor to oversee production, beginning in September;
5 Debtor estimates monthly income from this source at \$2000;

6 3) Sales of manufactured children's clothing are expected to commence in
7 November. Debtor estimates his monthly income from the children's clothing line will
8 then increase to \$5000; and, finally,

9 4) In prior years Debtor's spouse has rented a room in their home through
10 an organization that secures housing for foreign students. Last month Debtor's
11 daughter returned home from college and advised she was only visiting as she had
12 obtained employment in Atlanta; therefore, her room is available to be rented. Debtor's
13 spouse proposes to immediately resume renting a room through the organization she
14 worked with before. Particularly at this time of year, it takes approximately one month
15 for a pre-approved residence to be occupied at monthly rent of \$1500.

16 Any one of the above options, all of which are now at various stages, will
17 eliminate the income deficiency that currently causes the infeasibility. Debtor's and
18 Debtor's Spouse's declarations follow along with the proposal for Debtor's clothing line
19 and the company through which Debtor's spouse will rent a room.

20 Debtor asks the Court not to dismiss the Case on this first plan confirmation
21 hearing but, instead, to continue confirmation for at least 30 days so that Debtor can
22 demonstrate that he can fund a Chapter 13 Plan.

23 Respectfully submitted,

24 Date: July 10, 2024

/s/ Dana M. Douglas

Dana M. Douglas
Attorney for Debtor
David Stephens

DECLARATION OF DAVID STEPHENS

I, David Stephens, declares as follows:

1) I am the “Debtor” herein. I have personal knowledge of the information below, know it to be true and can competently testify thereto, except as to items I state on information and belief and as to those, I believe them to be true.

2) I commenced this chapter 13 bankruptcy case by filing a voluntary petition on May 17, 2024;

3) At the time of filing this case, May 17, 2024, I had been unemployed since 2022 and was waiting to be released by my doctors to resume working as a driver providing transportation services after a significant auto accident that occurred while I was driving. I had no other immediate income sources so Schedule I showed no income for me and only my non-filing spouse’s income. Based on income and expenses at that time and a proposed plan payment of \$528.47, there was a monthly deficiency of \$4651.92.

4) On May 20, 2024, I was released and immediately resumed working as a driver for Lyft. On July 9, 2024, I filed amended Schedules I & J and a 1st Amended Chapter 13 Plan. The Amended Schedules I & J disclosed my postpetition income of approximately \$1931 per month, eliminated a voluntary 401K contribution by my non-filing spouse and reduced expenses due to elimination of an inadvertent duplication of home maintenance and repair costs. Additionally, corrected calculation of claims and totals in the Amended Plan reduced the proposed plan payment to \$374.57. During the seven weeks that the bankruptcy case has been pending I have reduced the monthly deficiency at time of filing to \$1350.42.

5) I have four sources of increased additional income – some of which have already begun and the others will begin in the next four to eight weeks:

a. My Lyft income currently averages \$1931 per month but that amount is low as compared to what was my driving-related income before the accident.

1 I reviewed records from prior years and observed that I averaged \$3235 per month over
2 the years before I was injured. Even now my driving income has progressively
3 increased since I resumed driving on May 20th and I believe my income will very nearly
4 match his prior average by the end of July or very shortly thereafter and then will
5 continue at least at that approximate rate. Monthly driving income of \$3235 will
6 extinguish the deficiency;

7 b. In addition to driving, I am an entrepreneur and I have designed a
8 children's clothing line that is being marketed to investors. Funding to begin
9 production is scheduled to be determined in late August and will include funds for
10 production, as well as payment to me to oversee production which will begin in
11 September; I estimate monthly income from this source at \$2000;

12 c. Sales of manufactured children's clothing are expected to
13 commence in November. I estimate my monthly income from the children's clothing
14 line will then increase to \$5000; and, finally,

15 d. In prior years my spouse has rented a room in our home through
16 an organization that secures housing for foreign students. Last month my daughter
17 returned home from college and advised she was only visiting as she had obtained
18 employment in Atlanta; therefore, her room is available to be rented. My spouse has
19 advised me that she proposes to immediately resume renting a room through the
20 organization she worked with before. Particularly at this time of year, it takes
21 approximately one month for a pre-approved residence to be occupied at monthly rent
22 rate of \$1500.

23 Any one of the above options, all of which are now at various stages, will
24 eliminate the income deficiency that currently causes the infeasibility. Attached hereto
25 are true and correct copies of the proposal for my clothing line and a flyer for the
26 company through which my spouse will rent a room.

27 I ask the Court not to dismiss the Case at this first plan confirmation hearing
28

1 but, instead, to continue confirmation for at least 30 days so that I can demonstrate
2 that I can fully fund a Chapter 13 Plan.

3 Sworn under penalty of perjury under the law of the United States of America
4 this 10th day of July, 2024.



David Stephens, Declarant

DECLARATION OF GENEVIEVE STEPHENS

I, Genevieve Stephens, declares as follows:

1) I am the non-filing spouse of David Stephens, the “Debtor” herein. I have personal knowledge of the information below, know it to be true and can competently testify thereto, except as to items I state on information and belief and as to those, I believe them to be true.

2) I am informed that Debtor commenced this chapter 13 bankruptcy case by filing a voluntary petition on May 17, 2024, I was aware of the bankruptcy filing but I did not join in it. I will, however, continue to contribute my wages to household income and thereby assist Debtor in funding the Chapter 13 Plan.

3) At the time of filing this case, May 17, 2024, Debtor had been unemployed since 2022 and was waiting to be released by his doctors to resume working as a driver providing transportation services. He had no other immediate income sources so Schedule I showed no income for him and only my income. Based on income and expenses at that time and a proposed plan payment of \$528.47, there was a monthly deficiency of \$4651.92.

4) On May 20, 2024, Debtor was released and immediately resumed working as a driver for Lyft. On July 9, 2024, he filed amended Schedules I & J and a 1st Amended Chapter 13 Plan. The Amended Schedules I & J disclosed Debtor’s postpetition income, eliminated my voluntary 401K to my employer’s plan and reduced expenses due to elimination of an inadvertent duplication of home maintenance and repair costs. Corrected calculation of claims and totals in the Amended Plan reduced the proposed plan payment to \$374.57. During the seven weeks that the bankruptcy case has been pending Debtor has reduced the monthly deficiency at time of filing to \$1350.42.

5) Debtor proposes four sources of increased additional income – some of which have already begun and the others will begin in the next four to eight weeks. The

1 fourth source of income is via rental of a room in our house. As Debtor indicated above,
2 in prior years I have offered a room in our home for rental through an organization that
3 secures housing for foreign students. Last month our daughter returned home from
4 college and advised she was only visiting as she had obtained employment in Atlanta;
5 therefore, her room is available to be rented. I propose to immediately resume offering a
6 room through that organization. Particularly at this time of year, it takes approximately
7 one month for a pre-approved residence to be occupied at monthly rent rate of \$1500.

8 Even if only my rental of a room for student housing were to come to fruition, it
9 would eliminate the income deficiency that currently causes the infeasibility of the
10 Chapter 13 Plan. Attached hereto is a true and correct copy of a flyer for the company
11 with which I have worked before and through which I will rent a room.

12 I join Debtor in asking the Court not to dismiss the Case at this first plan
13 confirmation hearing but, instead, to continue confirmation for at least 30 days so that
14 he can demonstrate that we can fully fund a Chapter 13 Plan.

15 Sworn under penalty of perjury under the law of the United States of America
16 this 10th day of July, 2024.

17 
18 Genevieve Stephens, Declarant

DS AI Fashion Apparel Executive Summary

Proprietary AI powered; sensor embedded baby apparel.

THE GRAB

DS AI Fashion Apparel, Inc. has developed proprietary baby apparel with sensors embedded, powered by AI software. To monitor the baby's vital signs and notify the parents. To help prevent SIDS and give parents peace of mind.

PROBLEM/OPPORTUNITY

SIDS's, SUDDEN INFANT DEATH SYNDROME (a silent killer) 80% of SIDS deaths occur between the ages of 1-4 months; (without warning, 1 infant dies every hour of every day 365 days/year), Approx. 7,000 infants, or 1 in 750 live births, die of SIDS each year in the US alone. Risk remains HIGH until 12 months of age.

SOLUTION/PRODUCT

Our smart infant apparel includes health sensors powered by AI software to monitor vital signs and alert parents of any potential issues. Embedded unobtrusive critical life function monitor. The system monitors vital signs, temperature, and pain. True problem indicator with instant high decibel sound alert and LCD detection display. Dr. Stephens developed patented technology to address the issues over thirty years ago. His first patent was issued in 1995 and we are rewriting the patent integrating AI-powered software he has developed to power this innovative product. The technology-embedded apparel, starting with the baby product will revolutionize apparel.

POTENTIAL RETURN/REVENUE MODEL

The global baby apparel market size was valued at \$62.36 billion in 2022 and is projected to grow from \$64.64 billion in 2023 to \$95.22 billion by 2030. Internationally there are 20,000,000 births annually. Once we have completed our MVP, we will be on a fast track to go to market and negotiate licensing deals.

COMPETITION

There are baby monitoring products on the market, however, no one has developed such a simple patentable industry changing product like our AI-powered software, combined with the embedded sensors within the apparel will be a game changer.



Contact Information

Jermaine Hunsaker, Business Strategist
Jhunsaker3@hotmail.com
702 419-4600

Industry

Apparel
Technology

Development stage

Startup
Early-Stage Developmental Video
<https://gust.com/companies/ds-scientific-2>

Year Founded

[2024]

Number of Employees

[2]

Funding Opportunity

\$250,000

Use of Fund

32% Product Development
12% Legal/Other
20% Salaries
16% Operation/Inventory
20% Marketing/Sales
0% Existing Debt

Current Monthly Burn Rate

[\$0]

Current Monthly Revenue

[\$0]

Existing Debt

[\$0]

Existing Investors

NA, just launched capital raise

Contact Information

Jermaine Hunsaker
Jhunsaker3@hotmail.com
702 419-4600

DS AI Fashion Art Gallery Show

DSAI Fashion Apparel

Karimsaafirphotography.pic-time.com/-dsaifashionapparel/gallery

DS AI Fashion Apparel, Inc.
Executive Summary

Proprietary AI powered; sensor embedded baby apparel.

THE GRAB

EXECUTION PLAN/GO TO MARKET STRATEGY

Once we have completed our 1st sample onesies, we will be on a fast track to go to market and negotiate licensing deals. Our patentable products, and technology will ignite the interest of parents, hospitals, and caregivers.

FINANCIALS

We are raising our first round of friends and family seed capital. To complete the 1st Sample, protect our intellectual property, file patents, and prepare to go to market and negotiate licensing deals.

A Hybrid Revenue Earning Plan

- Technology Company

We specialize in High Tech electronics, R&D, and integrating technologies together with component sophistication, data mining software, human factors, medical diagnostic, and apparel technology.

- Licensing company

We will license our product to major children's clothing manufacturers.

- Manufacturing Company

We will manufacture our own brand of apparel to drive innovation, consumer demand, and sales which will leverage our product and company share value.

THE TEAM/RELEVANT EXPERIENCE

Dr. David Stephens: Medical Doctor, Engineer, Fashioner Designer & Inventor, and Business Entrepreneur who filed his first patent in 1995, invested \$1M of personal funds in product development over the past 35 years along with new project direct continuous education in AI technology.

Jermaine Hunsaker: MBA Certificate, Business Strategist

Stephanie Clark-Ochoa: Business Services Contractor

Al Mack: Stock Transfer Agent, Harmonious Capital Administration

Stephens McDowell: Marketing, Fanaka Social Media Consultant

Advisory Board Members:

William Coughlin, Esq., SEC law, Latham & Watkins LLP

Don Weissman, Esq., Corporate Business and Patent Strategist

Bet Tzedek Law Firm, Patent & Copyright Law

Ronald Friedman, CPA, Marcum's Retail & Consumer Products

Richard Stern, Apparel Business Plan Consultant

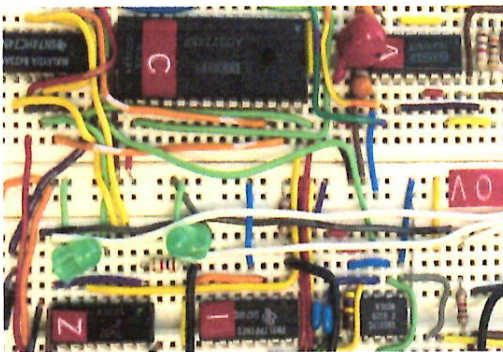
Terry Gubatan, Senior Business Coach at Vermont Slauson (VSEDC)



1st Samples



Conceptual Beginning

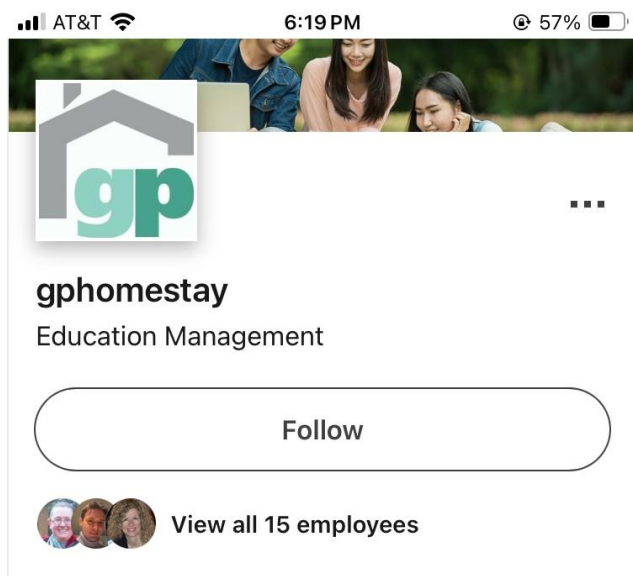


Original Test Systems Design



Proof of Concept Modeling

As a home tenant prior to COVID -19 my wife Genevieve contracted with GPhomestay who lease a room in our home for one of their exchange students at a rate of \$1500/month. This is still another viable option to increase our monthly gross income.



About us

Gphomestay is an educational service company that specializes in bringing on-the-ground support to international student programs at U.S. high schools across the country. Our trained staff is committed to the success of each student, providing arrangement and oversight of residential accommodations that are not only safe, but will enhance the student's' overall American

linkedin.com

AT&T 6:20 PM 57%

At gphomestay our programs are designed and maintained by a global network of professional staff with extensive experience in both cross-cultural communications and higher education. Every student, host, and school is backed by the resources of a team of experienced educators and multilingual professionals that operate day and night. Whether you are a student seeking great care at your U.S. school, a potential host family interested in a meaningful cross-cultural experience, or a high school seeking quality assurance and oversight of your international student program, gphomestay is here to help international students feel at home.

Website

<http://www.gphomestay.com/>

Industry

Education Management

Company size

201-500 employees

linkedin.com

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is: 11024 Balboa Blvd., No. 431, Granada Hills, CA 91344.

A true and correct copy of the foregoing document entitled (*specify*): OPPOSITION TO DISMISSAL will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) 7/10/2024, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

- Kathy A Dockery (TR) EFileing@LATrustee.com
- Dana M Douglas dmddouglas@hotmail.com, douglas.danar115703@notify.bestcase.com
- Marina Fineman m.fineman@geracillp.com
- United States Trustee (LA) ustpregion16.la.ecf@usdoj.gov

☐ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL: On (*date*) ###, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) ###, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

7/10/2024
Date

DM Douglas
Printed Name

/s/ DM Douglas
Signature